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CARE INC. and ABBOTT LABORATORIES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ABBOTT DIABETES CARE INC. and  
ABBOTT LABORATORIES,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06 07268-JF

**JOINT STIPULATION STAYING  
REMAINING CASE MANAGEMENT  
SCHEDULE DEADLINES PENDING  
ENTRY OF REVISED SCHEDULE  
AND ORDER**

1 On July 9, 2007, Abbott Diabetes Care Inc. and Abbott Laboratories ("Abbott")  
2 filed a Motion for Leave to Amend Complaint to assert three additional patents against  
3 AgaMatrix, Inc. ("AgaMatrix"). Abbott and AgaMatrix have attempted to negotiate a revised  
4 case management schedule to allow for consideration of the three additional patents. The Parties  
5 have not reached agreement on a schedule and have agreed to submit competing case  
6 management schedules to the Court. Although the competing case management schedules are  
7 different, they have in common that they request the postponement of the remaining deadlines  
8 from the current case management schedule, as well as the postponement of the *Markman*  
9 hearing.  
10

11 Because the Parties have agreed that the remaining deadlines in the current case  
12 management schedule should be postponed, Abbott and AgaMatrix, Inc. hereby stipulate and  
13 agree that all remaining deadlines on the current case management schedule submitted on  
14 February 23, 2007 will be postponed indefinitely pending resolution by the Court of the dispute  
15 regarding a new case management schedule. The remaining deadlines to be postponed include  
16 the deadline for Abbott's submission of an opening brief on claim construction on August 13,  
17 2007, the deadline for AgaMatrix's responsive brief on claim construction on August 27, 2007,  
18 the deadline for Abbott's reply brief on claim construction on September 5, 2007, and the  
19 *Markman* hearing, tentatively scheduled for September 19, 2007.  
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25 Dated: 8/27/07

IT IS SO ORDERED.

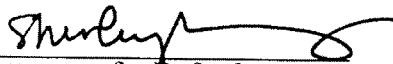
  
Jeremy Fogel, U.S. District Judge

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DATED: August 9, 2007


Respectfully submitted,

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DATED: August 9, 2007

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